



SONNENSCHEIN, NATH & ROSENTHAL LLP
 P.O. Box 061080
 Wacker Drive Station - Sears Tower
 Chicago, IL 60606-1080
 312/876-8000

2824

NAME APPLICATION OF:
 SERIAL NO.:
 FILED:
 FOR:

Hitoshi Shibue

10/052,078

January 17, 2002

ATTORNEY DOCKET NO. 09792909-5305
 GROUP ART UNIT: 2824
 EXAMINER: B. Smith

"SEMICONDUCTOR DEVICE AND FABRICATION METHOD THEREOF"

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

SIR:

Transmitted herewith is an amendment in the above-identified application.
 No additional claim fee is required.

The fee has been calculated as shown below.

		CLAIMS AS AMENDED				
		(2) CLAIMS REMAINING AFTER AMENDMENT	MINUS	(4) HIGHEST NO. PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE
TOTAL CLAIMS				-20		() X 9.00 () X 18.00
INDEP. CLAIMS		MINUS		3		() X 42.00 () X 84.00
Application amended to contain any multiple dependent claims not previously paid for.						() YES () NO
						TOTAL ADDITIONAL FEE FOR THIS AMENDMENT

* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20 write "20" in this space.

Applicant petitions the Commissioner of Patents and Trademarks to extend this time for response to the Office Action dated _____ for _____ month(s) so that the period for response is extended to _____ The Commissioner is authorized to charge the fee of \$_____ for the extension to American Express Account No. 378571697401002. PTO Form 2038 is attached for that purpose.

The Commissioner is authorized and requested to charge the amount of \$_____ to cover the additional claim fee to American Express Account No. 378571697401002. PTO Form 2038 is attached for that purpose.

A check for \$_____ accompanying attached Terminal Disclaimer under 37 C.F.R. §1.321.

The Commissioner is hereby authorized to charge the extension fee and any additional fees which may be required, or to credit any overpayment to account No. 19-3140. A duplicate of this sheet is enclosed.

When phoning re this application, please call 312/876-8000 - Ext. 12578.

SONNENSCHEIN NATH & ROSENTHAL LLP
 BY David R. McGehee

David R. McGehee (Reg. No. 32,919)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 30, 2003.

David R. McGehee
 SIGNATURE
 October 30, 2003

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Hitoshi Shibue ATTY. DOCKET NO. 09792909-5305
SERIAL NO. 10/052,078 GROUP ART UNIT: 2824
FILING DATE: January 17, 2002 EXAMINER: B. Smith
INVENTION: "SEMICONDUCTOR DEVICE AND FABRICATION METHOD THEREOF"

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

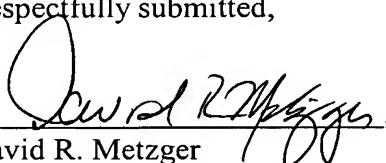
This amendment is being filed in response to the Office communication dated October 2, 2003. Please reconsider the application in view of the amendment and remarks presented below.

ELECTION OF CLAIMS

In the Office Action of September 4, 2003, the examiner requested an election of claims pursuant to an election requirement under 35 U.S.C. §121 between Group I claims 1-2 drawn to a device, and Group II claims 3-5 drawing to a method.

In response, applicant hereby elects examination of Group I claims 1-2.

Respectfully submitted,



David R. Metzger, Reg. 32,919
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